

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 IVAN LEE MATTHEWS, II,

4 Plaintiff,

Case No. 2:21-cv-01239-GMN-DJA

ORDER

5 v.

6 BOARD OF STATE PRISON
7 COMMISSIONERS, *et al.*,

8 Defendants.

9 **I. DISCUSSION**

10 This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983 by
11 an individual who has been released from the custody of the Nevada Department of
12 Corrections ("NDOC"). Plaintiff has not paid the full filing fee for this matter nor filed an
13 application to proceed *in forma pauperis*.

14 The Court will grant Plaintiff a **one-time extension** to file a fully complete
15 application to proceed *in forma pauperis* by a non-inmate on or before **August 9, 2021**.
16 Alternatively, Plaintiff may choose not to file an application to proceed *in forma pauperis*
17 by a non-inmate and instead pay the full filing fee of \$402 to proceed with this case.

18 The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1) but will not file it
19 until the matter of the payment of the filing fee is resolved.

20 **II. CONCLUSION**

21 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court will send
22 Plaintiff the approved form application to proceed *in forma pauperis* by a non-inmate, as
23 well as the document entitled information and instructions for filing an *in forma pauperis*
24 application.


25 IT IS FURTHER ORDERED that on or before **August 9, 2021**, Plaintiff shall either:
26 (1) file a fully complete application to proceed *in forma pauperis* by a non-inmate; or (2)
27 pay the full filing fee of \$402.

28 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,

1 this case will be subject to dismissal without prejudice for Plaintiff to file a new case with
2 the Court when Plaintiff is either able to file a fully complete application to proceed *in*
3 *forma pauperis* by a non-inmate or pays the full \$402 filing fee.

4 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint
5 (ECF No. 1-1) but shall not file it at this time.

6 DATED: July 8, 2021

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10 UNITED STATES MAGISTRATE JUDGE
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